

# **SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL**

**JUNE 27, 2016**

**KENDALL-DEAN SCHOOL AUDITORIUM**

**7:00 P.M.**

The meeting began at 7:01 P.M. with the prayer and the pledge to the flag. Council members present were Ms. Alves, Mr. Soly, Mr. Zwolenski and Mr. Boucher. Neither Mrs. Nadeau nor Town Administrator Hamilton were able to attend. Town Solicitor Iglioizzi was also in attendance.

## **GATOR'S PUB SEWER PROJECT/ASSESSMENT**

**MOTION** by Mr. Soly, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to move this item up next on the agenda.

Mr. Thomas McGee, co-owner of Gator's Pub, has been meeting with the Sewer Commission seeking to install a sewer line from the Victory Highway intersection with Main Street, down Main Street, to the pump station located across from the Silver Pines development. He is before the Council to request a waiver from the assessment.

**MOTION** by Mr. Soly, seconded by Mr. Zwolenski, and voted 4 to 0 on a roll call vote to waive any and all sewer assessment fees for TDM Enterprises, Inc. doing business as Gator's Pub at 1402 Victory Highway in an amount not to exceed \$57,200 and subject to the developer paying all costs of installation of the sewer project. Current and future abutters may tie in when they request it and the

**\$5,200 residential assessment per Equivalent Dwelling Unit (EDU) will be given to and divided equally between Gator's Pub, Inc. and the Town of North Smithfield Water and Sewer.**

## **FUNDS FOR PAVING TENNIS COURTS**

**MOTION by Mr. Soly, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote to move this item up next on the agenda.**

**Public Works Director Raymond Pendergast explained his department was given \$75,000 in the current fiscal year budget to redo the tennis courts at the high school. He piggybacked on a state bid that came in at \$38,000. Mr. Pendergast has asked the contractor to look at the basketball court at Pacheco Park. That estimate came back at \$25,000 just for the court itself so it was felt that the project should be rebid and redone.**

**MOTION by Mr. Soly, seconded by Mr. Zwolenski, and voted 4 to 0 on a roll call vote to support putting aside the balance of approximately \$35,000 for basketball court renovations at Pacheco Park.**

## **ADOPTION OF FISCAL YEAR 2016/2017 BUDGET**

**MOTION by Mr. Boucher, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to have Mr. Zwolenski take charge of this portion of the agenda.**

**MOTION by Ms. Alves, seconded by Mr. Zwolenski, and voted 4 to 0**

**on a roll call vote to revisit the salary of the Municipal Court Clerk and the salary of the Police Department Administrative Assistant.**

**Budget Committee member Michael Rapko explained that Darleen Bourgette has two functions. One-third of her salary is paid as the Municipal Court Clerk and two-thirds is paid as the Administrative Assistant to the Police Chief. As the court clerk she has received a stipend of**

**June 27, 2016**

**\$200 per month. Unfortunately, this \$2,400 has never been accounted for in the budget. Once that was realized, Mr. Rapko suggested a new formula for arriving at a salary for Mrs. Bourgette.**

**MOTION by Ms. Alves, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote to make the salary of the Municipal Court Clerk \$15,751.**

**MOTION by Ms. Alves, seconded by Mr. Soly and Mr. Boucher, and voted 4 to 0 on a roll call vote to make the salary of the Administrative Assistant to the Police Chief \$25,683.**

**Mr. Soly acknowledged that he had misspoken at the last meeting about information he had received from the town of Cumberland. The fees he mentioned that were collected were all municipal fees and not just the building and zoning fees.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote to consider the pay of the Recording Clerk. He realized that at the last meeting the salary of a union position had been increased by more than was called for in the union contract. He commented there was another union employee, Connie Klockars, who has worked for the town for nearly 32 years and who should be recognized for her contribution to the town.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote to reconsider the vote made at the last meeting on the Recording Clerk's wages.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote to increase the Recording Clerk's wages by an additional one and one-half percent to \$33,742.80.**

**Mr. Rapko brought up a concern of Ms. Hamilton's regarding the MS4 stormwater inspections in light of the fact that the Council did not approve additional personnel in the Building Official's office.**

**Mr. Pendergast noted that this was partially the reason why he requested two additional employees for his department plus a new clam truck. The workers who will be doing the inspections will be trained by the engineering firm, Joseph Casali and Associates.**

**In the event additional funding is necessary for the stormwater inspections, Mr. Iglioizzi suggested the funds be set aside for that purpose.**

**MOTION by Mr. Zwolenski and seconded by Mr. Boucher to increase contingency by \$20,000. This motion was later withdrawn.**

**MOTION by Mr. Soly, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote to appropriate \$20,000 from the current fiscal year contingency account for the possible need for MS4 work.**

## **REVENUE**

### **Current Year Taxes**

**MOTION by Mr. Boucher, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to approve \$33,133,819.**

### **Prior Year Taxes**

**MOTION by Mr. Boucher, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to approve \$520,000.**

### **Town Clerk - Other Fees**

**MOTION by Mr. Boucher, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to approve \$329,050.**

### **Building Inspector**

**MOTION by Mr. Boucher to approve \$170,000. This motion was later**

**withdrawn.**

**June 27, 2016**

## **EXPENSES**

### **North Smithfield Fire Department**

**This budget was amended following discussion about the Fire Department Plan Review line item listed as revenue in the Building Inspector's budget and capital expenses for the department.**

**MOTION by Ms. Alves and Mr. Boucher, seconded by Mr. Soly and Mr. Zwolenski, and voted 4 to 0 on a roll call vote to increase the department budget to \$2,801,655.**

## **REVENUE**

### **North Smithfield Police Department**

**MOTION by Mr. Boucher, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to approve \$20,000.**

### **Miscellaneous Receipts**

**MOTION by Ms. Alves, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote to approve \$452,229.**

### **Interest on Investments**

**MOTION by Mr. Boucher, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to approve \$30,000.**

### **School Department**

**MOTION by Ms. Alves, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to approve \$255,000.**

### **Rhode Island State Aid**

**MOTION by Mr. Boucher, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to approve \$7,578,096.**

### **Total General Fund Revenues**

**MOTION by Mr. Boucher and Mr. Soly, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to approve \$42,513,194.**

### **CONTINGENCY FUND**

**MOTION by Ms. Alves, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to approve \$536,716.**

**Mr. Soly would like to give more funds that would be controlled by the Town Council to the school department for a math interventionist.**

**Mr. Iglioizzi commented that perhaps additional funds should be kept in Council contingency because once money is given over to the school department, it becomes part of the Maintenance of Effort.**

## **METHOD OF TAX COLLECTION**

**MOTION by Mr. Boucher, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to approve the following Method of Tax Collection:**

**“SHALL THIS TOWN COUNCIL VOTE AS FOLLOWS:** That the finance director be and is hereby authorized to pay each order when approved by the town council, by the school committee or the director of public aid, as the case may be. That the finance director be and is hereby authorized to apply receipts for the interest on overdue taxes toward the payment of interest on bonds and notes of the town. That the finance director be and is hereby authorized, within the consent of the town council, to hire such sum or sums of money as may be necessary to carry on the business of the town for the ensuing year. That the finance director be and is hereby authorized to pay the town’s debts and interest. **IT IS HEREBY RESOLVED:** That the North Smithfield Town Council, in a meeting legally assembled on June 27, 2016, hereby orders a levy apportionment and collection of a tax on the ratable real estate, tangible personal property and an excise tax on registered motor vehicles and trailers in a sum of not less than \$33,575,000.00, nor more than \$33,625,000.00. Said taxes are for ordinary expenses and charges, for the payment of interest and indebtedness in whole or by law. The tax assessor shall assess and apportion said tax on the inhabitants and ratable property of said town as of the thirty-first (31st) day of December A.D. 2015, at twelve (12) o’clock midnight Eastern Standard Time or Daylight Savings Time, with exception of



**new construction, as the case may be according to law and delivered to and deposited the same in the office of the town administrator on or before the thirtieth (30th) day of June, 2016. The town administrator,**

**June 27, 2016**

**on receipt of said assessment, shall forthwith make a copy of same and deliver it to the finance director, who shall forthwith issue and affix to said copy a warrant under his/her hand directed to the collector of taxes of the town, commanding him/her to proceed and collect said tax of the person and estate liable therefore, said tax shall be due and payable no later than the fifteenth (15th) day of August, 2016, and all taxes remaining unpaid no later than the fifteenth (15th) day of August, 2016, shall carry until collected a penalty at a rate of twelve (12) percent per annum, unless specifically abated by a vote of the Town Council under Title 44 of the General Laws of RI, 1956, as amended. Said tax may be paid in four (4) installments, the first installment of twenty-five (25) percent no later than the fifteenth (15th) day of August, A.D., 2016, and the remaining installments as follows: twenty-five (25) percent on the fifteenth (15th) day of October, A.D., 2016 and twenty-five (25) percent on the fifteenth (15th) day of January, A.D., 2017 and the remaining twenty-five (25) percent on the fifteenth (15th) day of April, A.D., 2017. Each installment of taxes, if paid on or before the last day of each installment period successively and in order, shall be free from any charge for penalty. If the first installment or any succeeding installment of taxes is not paid by the**

**last date of the respective installment period or periods as they occur, then the whole tax or remaining unpaid balance of the tax, as the case may be, shall immediately become due and payable and carry until collected a penalty at a rate of twelve (12) percent per annum from the first quarter due date or the last satisfied quarter unless specifically abated by a vote of the town council under Title 44 of the General Laws of RI, 1953, as amended. Quarterly payment option shall not apply to any tax levied in an amount not in excess of one hundred dollars (\$100.00) in which case such tax shall be payable in a single installment.”**

#### **2016/2017 SEWER DEPARTMENT BUDGET**

**MOTION by Mr. Boucher, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to approve Operating Expenditures of \$1,876,545.20.**

**MOTION by Ms. Alves, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to approve Debt Service Expenditures of \$406,494.77.**

**MOTION by Mr. Boucher, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to approve a total Sewer Department expenditures budget of \$2,283,039.97.**

**MOTION by Mr. Boucher, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to approve Operations Revenue in the amount of \$1,876,545.20.**

**MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to reconsider the last motion and vote as Mr. Parmelee wanted to make a comment on the sewer use fees.**

**Mr. Parmelee explained that this budget is not wholly supported by user fees but is partially supported by money on hand. If a host fee does not have to be paid to the City of Woonsocket, then there will be no issue.**

**MOTION by Mr. Boucher, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to approve Operations Revenue in the amount of \$1,876,545.20.**

**MOTION by Mr. Boucher, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to approve Assessments Revenue of \$406,494.77.**

**MOTION by Mr. Boucher, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to approve Total Sewer Revenues of \$2,283,039.97.**

## **2016/2017 WATER DEPARTMENT BUDGET**

**MOTION by Mr. Boucher, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to approve Total Water Department Expenditures of \$615,430.14.**

**June 27, 2016**

**MOTION by Mr. Boucher, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to approve Total Water Department Revenue of \$615,430.14.**

## **CONSENT AGENDA**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted 4 to 0 on a roll call vote to accept the following: 1.) Conservation Commission minutes of April 12, 2016; 2.) Public Safety Commission minutes of May 12, 2016; 3.) NS Municipal Court monthly report for May 2016; 4.) NSPD monthly report for May 2016; 5.) NSF&RS Inc. monthly report for May 2016; 6.) Animal Control monthly report for May 2016; 7.) Resolution Supporting Article 15 of Governor's Budget Re: Revaluation - Town of Exeter; 8.) Letter Supporting State Aid to Libraries - Town of Exeter; 9.) Resolution on Gun Free Schools - Exeter-West Greenwich School Department; and 10.) Resolution Opposing Tolling Gantries - Town of Richmond.**

## **TOWN COUNCIL MINUTES OF APRIL 11, 2016**

**Regarding discussion on the Gold Forest Acquisition, MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to amend the second paragraph to add the following: "Town Planner Robert Ericson requested the amount of \$5,000 for an appraisal of Assessor's Plat 10, Lot 218."**

## **TOWN COUNCIL MINUTES OF MAY 2, 2016**

**Regarding discussion of the Pare Corporation Report Regarding School Zone Signage, MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote to amend the second paragraph to add the following: “Mr. Shevlin said he would provide names of three companies on the Rhode Island sign installation approved list.”**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote to approve the minutes of April 11, 2016 as amended.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote to approve the minutes of May 2, 2016 as amended.**

## **PAYMENT OF BILLS**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted 4 to 0 on a roll call vote to approve payment of the following: General Fund - \$847,666.11; Sewer - \$272,186.25; Water - \$2,095.66; Library - \$34,094.42; School Department - \$1,553,518.58; and Fire Department - \$214,090.00 for a total of \$2,923,651.02.**

## **CAR TAX ABATEMENT - JACOBSON**

**MOTION by Mr. Boucher, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to move this item up next on the agenda.**

**Mr. Parmelee explained that the Jacobsons had moved within North Smithfield but had never changed their registration address with the Registry of Motor Vehicles. They were looking for an abatement of the \$107.50 late fee because they did not receive their tax bill. Tax Assessor David Dolce had told Mr. Parmelee that he does not feel an abatement is due.**

**MOTION by Mr. Zwolenski and seconded by Mr. Soly to waive the late fee of \$107.50. Roll call: Ms. Alves - no; Mr. Soly - yes; Mr. Zwolenski - yes; and Mr. Boucher - no. The motion died due to a deadlocked vote.**

#### **MAILFINANCE LEASE AGREEMENT**

**Mr. Parmelee has had the agreement changed from 63 months to a month-to-month agreement. The change will ultimately save the town money.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote to authorize the Town Council President to sign the agreement.**

#### **INFORMING THE PERSONNEL BOARD REGARDING NEW HIRES**

**Ms. Alves would like the Personnel Board to be informed when there are open positions and when employee interviews are scheduled so that they may sit in on them to be sure that qualifications are met.**

**June 27, 2016**

**MOTION by Ms. Alves, seconded by Mr. Soly, Mr. Zwolenski, and Mr. Boucher, and voted 4 to 0 on a roll call vote that the Town Administrator inform the Personnel Board in regards to any new employee positions in the future in order for the Board to be involved and also to ask the Town Solicitor to work on an ordinance to that effect.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote at 9:50 P.M. to extend the meeting to 10:15 P.M.**

#### **EXECUTIVE SESSION**

**MOTION by Mr. Boucher, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote to enter into executive session at 9:51 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation to discuss Green Development, et al v Town of North Smithfield, et al D.A. Number: PC 2016-2576.**

**MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted 4 to 0 on a roll call vote come out of executive session at 10:07 P.M. and to seal the minutes. No motions were made and no votes were taken.**

**MOTION by Mr. Boucher, seconded by Mr. Soly, and voted 4 to 0 on an aye vote to adjourn at 10:08 P.M.**

**Respectfully submitted,**

**Debra A. Todd, Town Clerk**